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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,538	01/23/2001	Yingjian Wang	17281/00002	2993
Yingyi Wang Hypromatrix, Inc. 100 Barber Avenue Worcester, MA 01606			EXAMINER LUNDGREN, JEFFREY S	
7590 05/01/2009			ART UNIT PAPER NUMBER 1639	
			MAIL DATE DELIVERY MODE 05/01/2009 PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09767538	1/23/2001	WANG ET AL.	17281/00002

## EXAMINER

JEFFREY S.. LUNDGREN

ART UNIT	PAPER
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1639 20090430

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

## Commissioner for Patents

The Appeal Brief filed on March 6, 2009, is not fully responsive to the prior Office Action because of the following omissions or matters:

1) Applicant has not paid the appropriate fees nor filed a Petition for Extension of Time for any of the Appeal Briefs following the Notice mailed on October 30, 2008.

Applicant's mailing of the Appeal Brief does not receive the date of December 1, 2008, because Applicant did not certify that the papers were being deposited on the mailing date via a certificate of deposit. Accordingly, Applicant's Brief is treated as being filed on the day it was received at the USPTO. See 37 C.F.R. § 1.8(a)(1)(ii).

For an example of a certificate of deposit, Applicant's attention is respectfully directed to the correspondence that Applicant filed on June 5, 2003, in the instant application.

Applicant's Appeal Brief will not be considered responsive until the aforementioned items are properly addressed. See 37 CFR 1.111.

Since the above-mentioned reply appears to be *bona fide*, Applicant is given until the extended time period allowed under 37 CFR 1.136(a) which began at the mailing of the last notice on October 30, 2008. Prior to the final day allowed for an extension of time, Applicants must supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a), and is calculated based on the mailing date of October 30, 2008.

## Conclusions

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeff Lundgren whose telephone number is 571-272-5541. The Examiner can normally be reached from 7:00 AM to 5:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Christopher Low, can be reached on 571-272-0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

